

DECLARATORY  
Improvement Res. No. 1026-1960

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For the Vacation of the alley between  
Glenwood Avenue and Vance Avenue from the  
east property line of Beacon Street to the  
east property line of Lots 12 and 13, Beacon  
Heights Addition.

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Resolution Adopted:

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Sept. 9, 1960

Confirmed:

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Oct. 13, 1960

Bids Received:

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Contract Awarded:

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Contract and Bond:

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Contractor:

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Reported Completed:

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Assessment Roll Confirmed:

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Dec. 29, 1960

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DECLARATORY RESOLUTION NO. 1026-1960

For the Vacation of the alley between Glenwood Avenue and Vance Avenue from the east property line of Beacon Street to the east property line of Lots 12 and 13, Beacon Heights Addition.

PLANS ORDERED: July 16, 1959

ADOPTED: Sept. 9, 1960

ADVERTISE NOTICE TO PROPERTY OWNERS: Sept. 16 & 23, 1960

HEARING ON CONFIRMATION: Thurs., Oct. 13, 1960 at 6:30 p.m. IST.

CONFIRMED: Thurs., Oct. 13, 1960 at 6:30 p.m. IST

ASSESSMENT ROLL ORDERED: October 13, 1960

ASSESSMENT ROLL APPROVED: Nov. 29, 1960

HEARING ON CONFIRMATION  
OF ASSESSMENT ROLL: Thurs., Dec. 29, 1960 6:30 p.m. IST.

NOTICE SERVED: Dec. 14, 1960

ASSESSMENT ROLL CONFIRMED: Dec. 29, 1960

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DECLINATORY PROCEEDINGS

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ ~~of the alley~~ between Glenwood Avenue and Vance Avenue from the east property line of Beacon Street to the east property line of Lots 12 and 13, Beacon Heights Addition.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the alley between Glenwood Avenue and Vance Avenue from the east property line of Beacon Street to the east property line of Lots 12 and 13, Beacon Heights Addition.

All as shown by a plan of such proposed Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lots 9 to 11 inclusive, Beacon Heights Addition. Said addition inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

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The vacation of the above described alley shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the Northeast quarter of Section 31, Township 31 North, Range 13 East and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS

9

DAY OF

September 1960

Attest:

Secretary Board of Public Works.

*Paul F. Reubke*  
*John D. Lombard*  
*Edward*

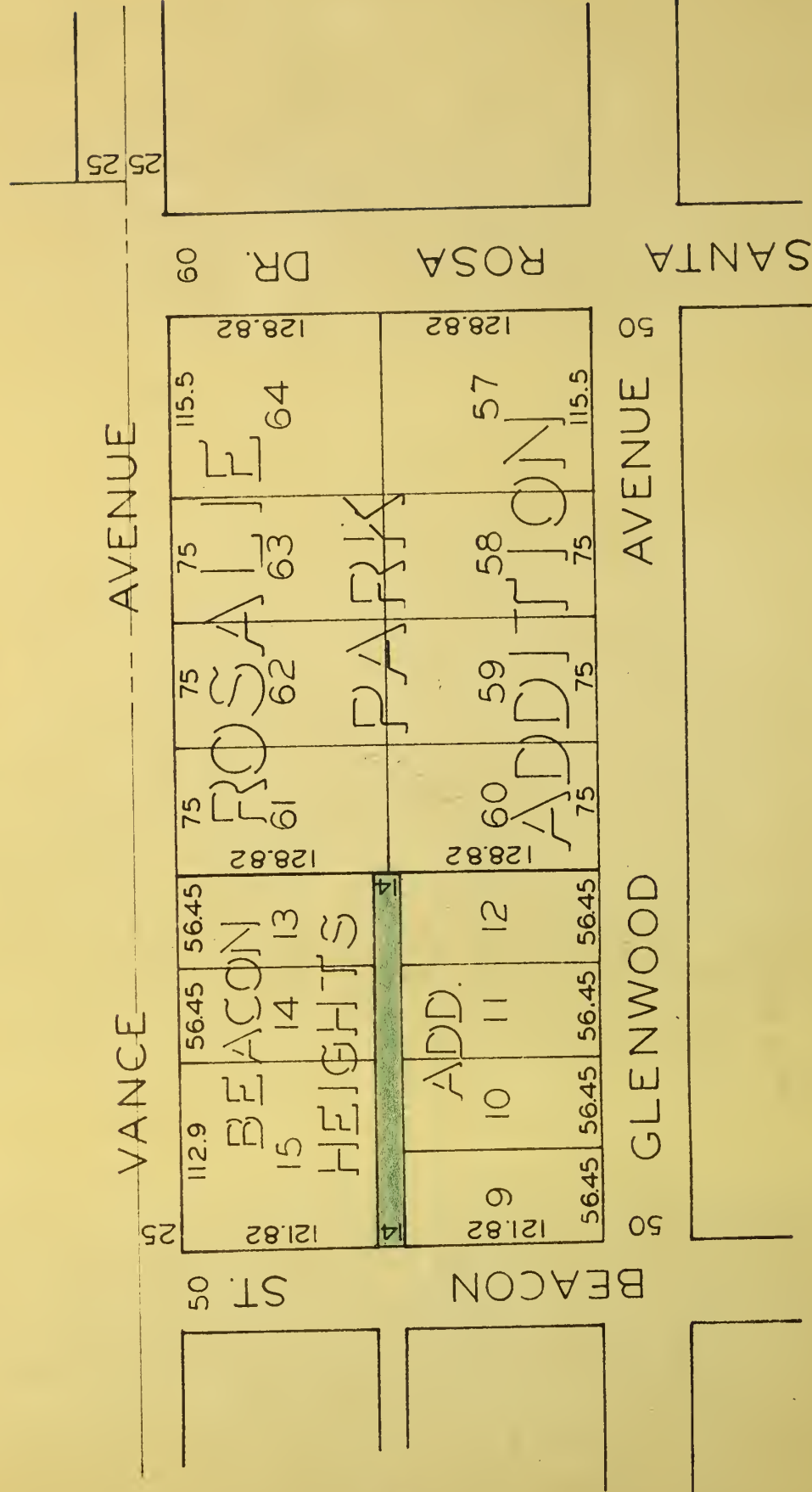
Board of Public Works.





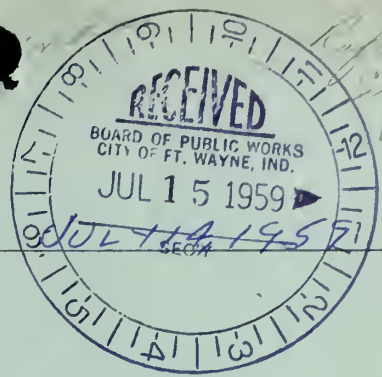
ALLEY TO BE VACATED

1026



# PETITION

Fort Wayne, Ind.,



To the Board of Public Works of the City of Fort Wayne:

Gentlemen: 253

The undersigned, owners of real

estate on GLENWOOD AVE, from  
BEACON to FOUR LOTS (#9, 10, 11, & 12) EAST

respectfully petition for the passage of a resolution providing for the Vacation of the alley  
between Vance Avenue and Glenwood Avenue from Beacon Street ~~to~~ east to the dead end  
~~which ends in the middle of the block.~~

to the east P. Line of Lot #12 & 13 225.8 feet

NAME

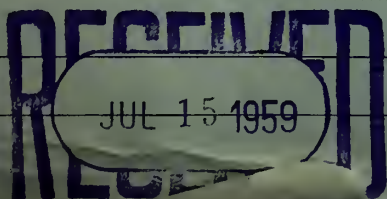
ADDRESS

PETITIONER

Richard H. Zoop 2801 GLENWOOD  
Robert G. Beyer 2809 Glenwood  
John R. Kilgus 2817 Glenwood  
Joe R. Brital 2815 Glenwood.

WE THE ABOVE WANT THE ALLEY EASEMENT  
VACATED AND RESERVED AS AN EASEMENT (UTILITY)  
FOR THE FOLLOWING REASONS:

1. WE HAVE FRONT DRIVES AND WOULD BE OF NO  
ADVANTAGE IN THIS RESPECT
2. A DEAD END ALLEY WOULD BE A SAFETY  
HAZZARD TO OUR CHILDREN AS THE VEHICLES  
WOULD HAVE TO ENTER THEN BACK  
COMPLETELY OUT OF THE ALLEY
3. THE ALLEY WOULD ADD NO BEAUTY  
TO OUR PROPERTY, AS WE WOULD NOT  
CONSIDER HAVING IT PAVED AS OUR  
OWN STREET IS NOT YET PAVED



JULY 15 1959  
NOTED

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# City of Fort Wayne



OFFICE OF  
CITY PLAN COMMISSION

FORT WAYNE 2, INDIANA

February 26, 1960

Mr. Donald E. Bodeker  
Office Engineer  
City Engineers Office

Re: Proposed vacation of east-west alley between Glenwood  
Avenue and Vance Avenue from Beacon Street east to its  
eastern terminus.

Dear Don:

We have reviewed the proposed vacation as described above and  
it would be our recommendation that the alley be vacated in  
favor of the usual utility easement requirements for the fol-  
lowing reasons:

1. At the present time the alley is unimproved.
2. The alley right of way as such serves no useful pur-  
pose.
3. In the event it were improved, it would be a dead end  
alley since the extension of this alley through Rosalie  
Park Addition is now established as a utility easement.

Sincerely,

CITY PLAN COMMISSION

A handwritten signature in cursive script, appearing to read "Bill Jones".

William J. Jones  
Planning Director

WJJ:mo

1026

NOTICE OF IMPROVEMENT

OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, September 23, 1960

1026

To.....

.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did  
Declaratory  
pass Improvement/Resolution No. 1026-1960  
providing for the Vacation of the alley between Glenwood Avenue and Vance Avenue from  
the east property line of Beacon Street to the east property line of Lots 12 and 13,  
Beacon Heights Addition.

All work to be done under aforementioned Improvement Resolution shall be in accordance with the de-  
tailed plans, profile and specifications which are now on file and may be seen in the office of the Board  
of Public Works.

The Board has fixed Thursday, October 13, 1960 - 7:30 p.m.  
a date and time when they will hear and consider objections or remonstrances from all persons whose  
property will be affected by the proposed improvement.

You are hereby notified that

is subject to assessment for said proposed improvement under the Improvement Laws passed by the Gen-  
eral Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supple-  
mental thereof.

BOARD OF PUBLIC WORKS



OFFICE OF  
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

42-176-1

Date October 14, 1960

B.O. 253-159

To City Engineer

Subject Declaratory Res. No. 1026 - Vacation of the alley between Glenwood Avenue

and Vance Avenue from the east property line of Beacon Street to the east property line of Lots 12 and 13, Beacon Heights Addition.

Prepare Assessment Roll of benefits and damages; the property owners benefited to be assessed costs of advertising, \$14.02.

Paul F. Roembke  
John D. Lombard  
Berkeley Ward  
BOARD OF PUBLIC WORKS

ms

attach. Res. and P.O. List

NOTED

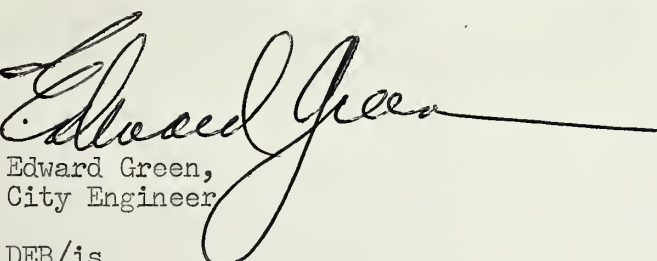
☐ P.F.R.  
☐ J.D.L.  
☐ B.W.

Date \_\_\_\_\_

Signed \_\_\_\_\_

Reply: November 25, 1960

Assessment roll of benefits and damages completed and attached.

  
Edward Green,  
City Engineer  
  
DEB/is  
attachs.

RECEIVED  
NOV 28 1960

Signed \_\_\_\_\_

ENGINEERING  
DEPT. OF STREETS

DATE September 7, 1960

TO: Board of Public Works

SUBJECT: Board Order No. 253-1959

42-128-13

11  
info 9-8

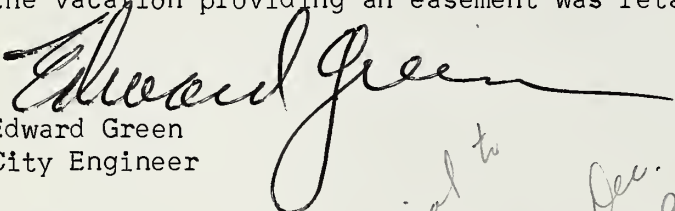
add to MR.

Re: Declaratory Resolution No. 1026-1960 which provides for the vacation of the alley between Glenwood Avenue and Vance Avenue from the east property line of Beacon Street to the east property line of Lots 12 and 13, Beacon Heights Addition

A copy of the easement grant for the above described resolution is attached. The resolution was forwarded to you last March, but has not been adopted pending the procurement of this grant.

The easement has been signed by all benefited property owners and recorded in the office of the Allen County Recorder. Please file it with the resolution as a permanent record. Copies have also been distributed to each Utility Company with facilities in the alley.

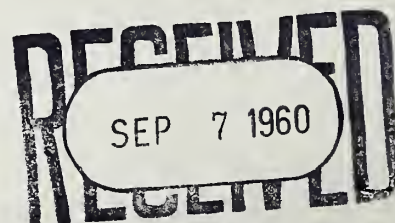
We recommend that the resolution now be adopted since there were no objections to the vacation providing an easement was retained.

  
Edward Green  
City Engineer

DEB:lm

Attach.

*Edward: special to nothing about this. say about adopt the just adopt the per usual in 9-9-60 Dec. S.O.P.*



*Route*

OFFICE OF  
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

40-295-13

Date July 16, 1959

*DB*  
*3/7/17*  
R. O. 253-159

To Mr. Edward Green, City Engineer

Subject Vacation - Alley between Vance Ave.

Received a petition to vacate the alley between Vance Avenue and Glenwood Avenue from Beacon Street east to the east property line of Lots No. 12 and 13.

Prepare an opinion, after conferring with all Governmental agencies and utilities.

E. J. Gallmeyer

John Cooper

Orin M. Darling

BOARD OF PUBLIC WORKS

ic

attach copy of petition  
& drawing

Signed

Reply:

1026

March 7, 1960

Declaratory Resolution, drawing and property ownership list completed and attached.

It is my recommendation that before this resolution is adopted, grants of easements to each of the various Utilities, both City owned and private, be obtained from the property owners benefitted. It is my understanding that Mr. Hoffman is preparing a form for this grant.

*Edward Green*  
Edward Green,  
City Engineer

Signed

DB/is  
attachs.

SENDER: REMOVE & KEEP 2ND COPY — RECEIVER: ANSWER KEEP 3RD COPY & RETURN 1ST COPY TO SENDER.



Book 568 Page 240-42 13552

GRANT OF EASEMENT

Plot #2952  
W.O. 601/7703

THIS INDENTURE WITNESSETH, That the undersigned Grantors, each over the age of twenty-one (21) years and the owners, respectively of Lot Nos. 9, 10, 11, 12, 13, 14, and 15, Beacon Heights Addition to the City of Fort Wayne, Indiana, according to the plat thereof recorded in Plat Book 19 at page 151 in the Office of the Recorder of Allen County, Indiana, for and in consideration of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, do hereby CONVEY and WARRANT to INDIANA & MICHIGAN ELECTRIC COMPANY, an Indiana corporation, NORTHERN INDIANA PUBLIC SERVICE COMPANY, an Indiana Corporation, and GENERAL TELEPHONE COMPANY OF INDIANA, INC., an Indiana corporation, CITY UTILITIES OF FORT WAYNE, and CITY OF FORT WAYNE, INDIANA, a municipal corporation situated in Allen County, Indiana, the right and authority to construct, erect, operate, maintain, repair, replace, and renew poles, wires, crossarms and other fixtures, the right and authority to string, install, construct, erect, operate, maintain, repair, replace and renew wires, cables and other necessary equipment upon and between such poles and to operate by means thereof a line or lines for the transmission, distribution and delivery of electrical energy, and for telephone purposes, and delivery of electrical energy to the public in general to be used for light, heat, power, telephone and/or other purposes, in, upon, along and over;

And the further right and authority to construct, operate, maintain, repair, replace and renew gas lines, sewer lines and water lines, in, under, through and over;

The following described real estate of Grantors situated in the City of Fort Wayne, County of Allen, State of Indiana, to-wit:

Beginning at the northwest corner of Lot No. 9, Beacon Heights Addition to the City of Fort Wayne; thence east along the north line of Lot Numbers 9, 10, 11, & 12, Beacon Heights Addition, a distance of 225.8 feet, to the northeast corner of said Lot No. 12; thence north by deflection left of ninety degrees, a distance of 14 feet, to the southeast corner of Lot No. 13, Beacon Heights Addition; thence west along the south line of Lot Numbers 13, 14, & 15, Beacon Heights Addition, a distance of 225.8 feet, to the southwest corner of said Lot No. 15; thence south by deflection left of ninety degrees, a distance of 14 feet, to the point of beginning.

DULY ENTERED FOR TAXATION

APR 5 - 1960

*Robert E. Lambaugh*  
Auditor of Allen County

APR 5 PM 2:22

Allen County Recorder

All of the aforesaid points mentioned in said description being made with reference to the corners of said lots as now situated, and according to the aforesaid recorded plat of Beacon Heights Addition to the City of Fort Wayne, Indiana.

These presents shall be binding upon the heirs, executors, administrators, grantees and assigns of Grantors.

IN WITNESS WHEREOF, Grantors have set their hands and seals hereto this

30th day of March, 1960.

Grantors

Lot Number

Richard H. Koop  
(Richard H. Koop)

Lot No. 9  
Beacon Heights Addition

Lavonne J. Koop  
(Lavonne J. Koop)

Robert G. Benedict  
(Robert G. Benedict)

Lot No. 10  
Beacon Heights Addition

Mildred Benedict  
(Mildred Benedict)

Deceased  
(Joe Brita)

Lot No. 11  
Beacon Heights Addition

Mary L. Brita  
(Mary L. Brita)

John R. Willig  
(John R. Willig)

Lot No. 12  
Beacon Heights Addition

Virginia D. Willig  
(Virginia D. Willig)

Howard H. Krieg  
(Howard H. Krieg)

Lot Nos. 13, 14, & 15  
Beacon Heights Addition

Ethel L. Krieg  
(Ethel L. Krieg)

Before me, a Notary Public in and for said County and State, personally appeared Richard H. Koop and Lavonne T. Koop, husband and wife, Mary L. Brita, widow, and John R. Willig and Virginia U. Willig, husband and wife, each over the age of twenty-one (21) years, Grantors in the above and foregoing GRANT OF EASEMENT, and personally acknowledged the execution thereof to be his/her/their voluntary act and deed.

*Louis E. Ridgway*  
NOTARY PUBLIC  
LOUIS E. RIDGWAY  
Notary Public

Notary Public

My commission expires Mar. 4, 1962

STATE OF INDIANA )  
 )SS:  
COUNTY OF ALLEN )

Before me, a Notary Public in and for said County and State, personally appeared Robert G. Benedict and Mildred Benedict, husband and wife, and Howard H. Krieg and Ethel L. Krieg, husband and wife, each over the age of twenty-one (21) years, Grantors in the above and foregoing GRANT OF EASEMENT, and personally acknowledged the execution thereof to be his/her/their voluntary act and deed.

IN WITNESS WHEREOF, I have placed my hand and notarial seal this 30th day  
 May, 1960.

ced my hand and notarial seal this 30th day

Louis E. Ridgway  
NOTARY PUBLIC

LOUIS E. RIDGWAY  
Notary Public

Notary Public

My commission expires Mar. 4, 1966

1962

This instrument was prepared by

Gerald K. Bridgewater

Employee of Indiana & Michigan  
Electric Company on its behalf.



NOTICE OF IMPROVEMENT

OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, September 23, 1960

1026

To John L. & Phyllis A. Heinze

Fort Wayne, Indiana.

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did pass Improvement/Declaratory Resolution No. 1026-1960 providing for the Vacation of the alley between Glenwood Avenue and Vance Avenue from the east property line of Beacon Street to the east property line of Lots 12 and 13, Beacon Heights Addition.

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed Thursday, October 13, 1960 - 7:30 p.m. a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by the proposed improvement.


You are hereby notified that

Lot 60 Rosalie Park Addition

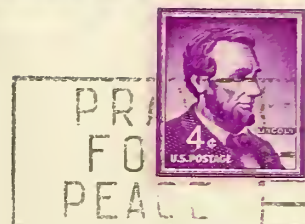
is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

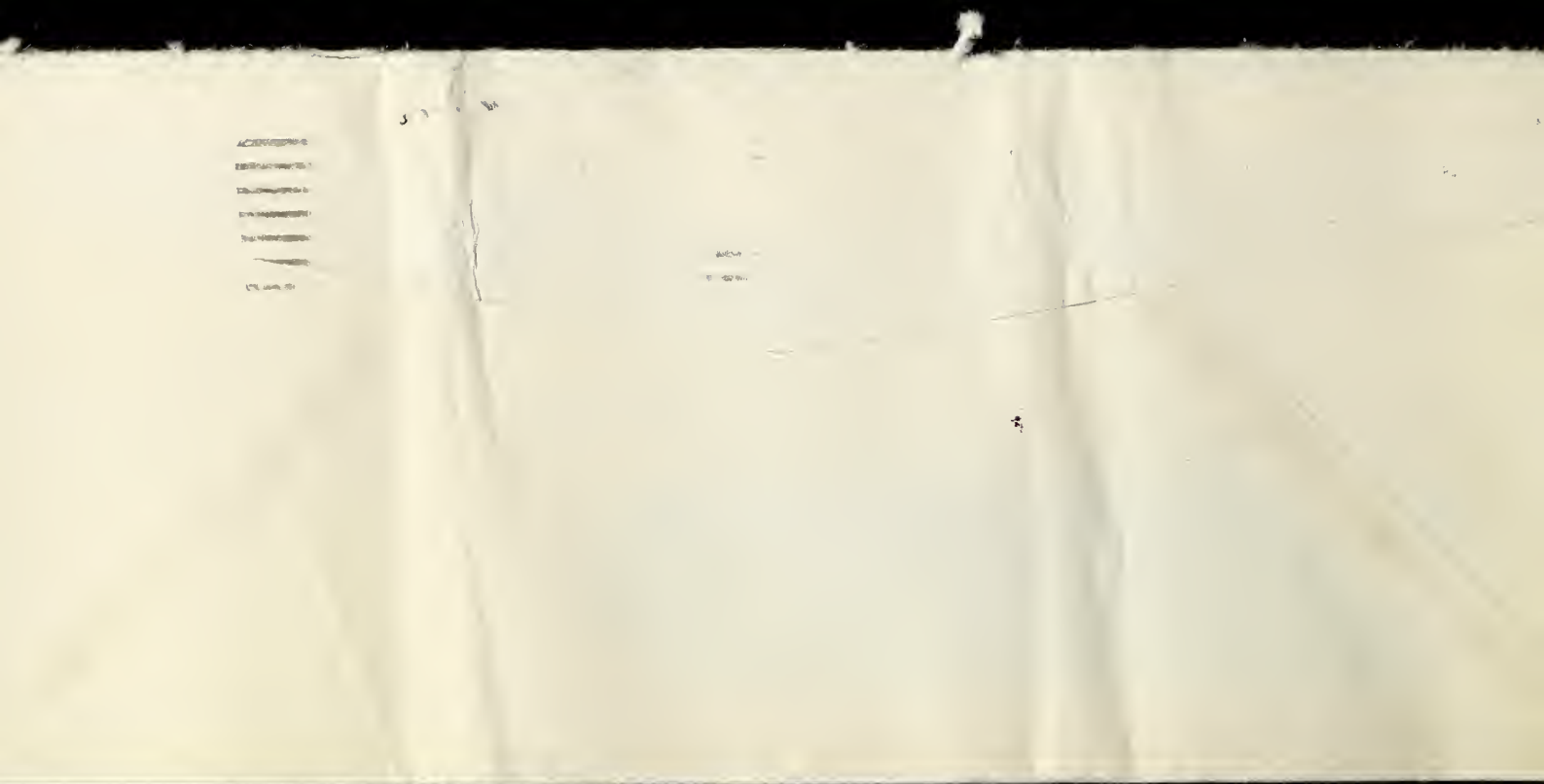


BOARD OF PUBLIC WORKS  
CITY HALL  
FORT WAYNE 2, INDIANA  


RETURNED FOR BETTER ADDRESS







City Engineering Dept.

This is a standard form Easement we  
can use from now on.

John E. Hoffman, Jr.

4/29/60

City of H

Ind

TELEPHONE



BOARD OF PUBLIC WORKS

B. J. SWANSON, CHAIRMAN

JOHN H. COOPER

ORIN M. DARLING



## GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That the grantors, Richard H. Koop and Lavonne T. Koop, husband and wife, Robert G. Benedict and Mildred Benedict, husband and wife, Joe Brita and Mary L. Brita, husband and wife, John R. Willig and Virginia D. Willig, husband and wife, and Howard H. Krieg and Ethel L. Krieg, husband and wife, of Allen County, Indiana, in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, in hand paid to the grantors, hereby grant to the City of Fort Wayne, City Utilities of Fort Wayne, Northern Indiana Public Service Company, Indiana and Michigan Electric Company, General Telephone Company of Indiana, Inc., their successors and assigns, a general utility easement with the right and authority to construct, erect, maintain, operate, repair, replace and renew poles, conduits and mains, and the right and authority to string, install, construct, erect, maintain, operate, repair, replace, and renew wires, cables, and other necessary equipment upon and between such poles, conduits and mains and to operate by means thereof a line or lines for the transmission, distribution, and delivery of electrical energy, sewage, water and gas to the public in general to be used for light, heat, power, telephone, sewage, water and gas, and/or other purposes in, upon, along, under and over the real estate of the grantors, located in Allen County, Indiana, described as follows:

Vacated alley running east and west between Vance and Glenwood Avenues in the City of Fort Wayne between Lots 9 to 15 inclusive in Beacon Heights Addition to the City of Fort Wayne, said tract being legally described as follows; beginning at the northwest corner of Lot 9 in said Beacon Heights Addition; thence east along the north lines of Lots 9 to 12 inclusive in said Addition; thence north 14 feet to the southeast corner of Lot 13 in said Addition; thence west along the south lines of Lots 13 to 15 inclusive in said Addition to the southwest corner of Lot 15 in said Addition; thence south 14 feet to the place of beginning.

The grantors reserve the use of the above described land not inconsistent with this grant.

The grantees, except for the City of Fort Wayne, shall and will indemnify and save the grantors harmless from and against any and all damages, injuries, losses, claims, demands or costs proximately caused by the fault, culpability, or negligence of the grantees in the construction, erection, maintenance, operation, repair or removal of said electric transmission line or lines and the structures and appurtenances connected therewith over and across the above described real estate.

Access to the above described land over the adjoining lands of the grantors is hereby granted, where necessary, but where a public highway adjoins the land above described, then access shall be from such highway. Any damages to crops, fences, or buildings of the grantors on the lands of the grantors adjoining the premises above described, done by the grantees in the erection, repair, replacement or renewal of said towers, poles, wires, cables, or equipment, shall be promptly paid for by the grantees. The grantees may cut or trim trees, bushes and saplings growing upon



or extending over said land so far as may be reasonably necessary in the construction, operation and maintenance of said line or lines.

The undersigned hereby covenant, that they are the owners in fee simple of said real estate, lawfully seized thereof, and have good right to grant and convey said easement herein, and guarantee the quiet possession thereof, and that the grantors will warrant and defend the title to the said easement against all lawful claims.

These presents to be binding upon the heirs, legal representatives, grantees and assigns of the grantors, and upon the grantees, their successors and assigns.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 1960.

\_\_\_\_\_  
(Richard H. Koop)

\_\_\_\_\_  
(Lavonne T. Koop)

\_\_\_\_\_  
(Robert G. Benedict)

\_\_\_\_\_  
(Mildred Benedict)

\_\_\_\_\_  
(Joe Brita)

\_\_\_\_\_  
(Mary L. Brita)

\_\_\_\_\_  
(John R. Willig)

\_\_\_\_\_  
(Virginia D. Willig)

\_\_\_\_\_  
(Howard H. Krieg)

\_\_\_\_\_  
(Ethel L. Krieg)

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, Richard H. Koop and Lavonne T. Koop, husband and wife, who acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

Witness my hand and notarial seal this \_\_\_\_\_ day  
of \_\_\_\_\_, 1900.

Notary Public

My Commission Expires 12/31/2009

Same for other 4



## GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That the grantors, Richard H. Koop and Laverne T. Koop, husband and wife, Robert G. Benedict and Mildred Benedict, husband and wife, Joe Brita and Mary L. Brita, husband and wife, John R. Willig and Virginia D. Willig, husband and wife, and Howard H. Krieg and Ethel L. Krieg, husband and wife, of Allen County, Indiana, in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, in hand paid to the grantors, hereby grant to the City of Fort Wayne, City Utilities of Fort Wayne, Northern Indiana Public Service Company, Indiana and Michigan Electric Company, General Telephone Company of Indiana, Inc., their successors and assigns, a general utility easement with the right and authority to construct, erect, maintain, operate, repair, replace and renew poles, conduits and mains, and the right and authority to string, install, construct, erect, maintain, operate, repair, replace, and renew wires, cables, and other necessary equipment upon and between such poles, conduits and mains and to operate by means thereof a line or lines for the transmission, distribution, and delivery of electrical energy, sewage, water and gas to the public in general to be used for light, heat, power, telephone, sewage, water and gas, and/or other purposes in, upon, along, under and over the real estate of the grantors, located in Allen County, Indiana, described as follows:

Vacated alley running east and west between Vance and Glenwood Avenues in the City of Fort Wayne between Lots 9 to 15 inclusive in Beacon Heights Addition to the City of Fort Wayne, said tract being legally described as follows; beginning at the northwest corner of Lot 9 in said Beacon Heights Addition; thence east along the north lines of Lots 9 to 12 inclusive in said Addition; thence north 14 feet to the southeast corner of Lot 13 in said Addition; thence west along the south lines of Lots 13 to 15 inclusive in said Addition to the southwest corner of Lot 15 in said Addition; thence south 14 feet to the place of beginning.

The grantors reserve the use of the above described land not inconsistent with this grant.

The grantees, except for the City of Fort Wayne, shall and will indemnify and save the grantors harmless from and against any and all damages, injuries, losses, claims, demands or costs proximately caused by the fault, culpability, or negligence of the grantees in the construction, erection, maintenance, operation, repair or removal of said electric transmission line or lines and the structures and appurtenances connected therewith over and across the above described real estate.

Access to the above described land over the adjoining lands of the grantors is hereby granted, where necessary, but where a public highway adjoins the land above described, then access shall be from such highway. Any damages to crops, fences, or buildings of the grantors on the lands of the grantors adjoining the premises above described, done by the grantees in the erection, repair, replacement or renewal of said towers, poles, wires, cables, or equipment, shall be promptly paid for by the grantees. The grantees may cut or trim trees, bushes and saplings growing upon



or extending over said land so far as may be reasonably necessary in the construction, operation and maintenance of said line or lines.

The undersigned hereby covenant, that they are the owners in fee simple of said real estate, lawfully seized thereof, and have good right to grant and convey said easement herein, and guarantee the quiet possession thereof, and that the grantors will warrant and defend the title to the said easement against all lawful claims.

These presents to be binding upon the heirs, legal representatives, grantees and assigns of the grantors, and upon the grantees, their successors and assigns.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 1960.

\_\_\_\_\_  
(Richard H. Koop)

\_\_\_\_\_  
(Lavonne T. Koop)

\_\_\_\_\_  
(Robert C. Benedict)

\_\_\_\_\_  
(Mildred Benedict)

\_\_\_\_\_  
(Joe Brita)

\_\_\_\_\_  
(Mary L. Brita)

\_\_\_\_\_  
(John R. Willig)

\_\_\_\_\_  
(Virginia D. Willig)

\_\_\_\_\_  
(Howard H. Krieg)

\_\_\_\_\_  
(Ethel L. Krieg)

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, Howard H. Krieg and Ethel L. Krieg, husband and wife, who acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and notarial seal this \_\_\_\_\_ day  
of \_\_\_\_\_, 1960.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

John R. Willig  
Virginia D. Willig



## GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That the grantors, Richard H. Koop and Lavonne T. Koop, husband and wife, Robert G. Benedict and Mildred Benedict, husband and wife, Joe Brita and Mary L. Brita, husband and wife, John R. Willig and Virginia D. Willig, husband and wife, and Howard H. Krieg and Ethel L. Krieg, husband and wife, of Allen County, Indiana, in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, in hand paid to the grantors, hereby grant to the City of Fort Wayne, City Utilities of Fort Wayne, Northern Indiana Public Service Company, Indiana and Michigan Electric Company, General Telephone Company of Indiana, Inc., their successors and assigns, a general utility easement with the right and authority to construct, erect, maintain, operate, repair, replace and renew poles, conduits and mains, and the right and authority to string, install, construct, erect, maintain, operate, repair, replace, and renew wires, cables, and other necessary equipment upon and between such poles, conduits and mains and to operate by means thereof a line or lines for the transmission, distribution, and delivery of electrical energy, sewage, water and gas to the public in general to be used for light, heat, power, telephone, sewage, water and gas, and/or other purposes in, upon, along, under and over the real estate of the grantors, located in Allen County, Indiana, described as follows:

Vacated alley running east and west between Vance and Glenwood Avenues in the City of Fort Wayne between Lots 9 to 15 inclusive in Beacon Heights Addition to the City of Fort Wayne, said tract being legally described as follows; beginning at the northwest corner of Lot 9 in said Beacon Heights Addition; thence east along the north lines of Lots 9 to 12 inclusive in said Addition; thence north 14 feet to the southeast corner of Lot 13 in said Addition; thence west along the south lines of Lots 13 to 15 inclusive in said Addition to the southwest corner of Lot 15 in said Addition; thence south 14 feet to the place of beginning.

The grantors reserve the use of the above described land not inconsistent with this grant.

The grantees, except for the City of Fort Wayne, shall and will indemnify and save the grantors harmless from and against any and all damages, injuries, losses, claims, demands or costs proximately caused by the fault, culpability, or negligence of the grantees in the construction, erection, maintenance, operation, repair or removal of said electric transmission line or lines and the structures and appurtenances connected therewith over and across the above described real estate.

Access to the above described land over the adjoining lands of the grantors is hereby granted, where necessary, but where a public highway adjoins the land above described, then access shall be from such highway. Any damages to crops, fences, or buildings of the grantors on the lands of the grantors adjoining the premises above described, done by the grantees in the erection, repair, replacement or renewal of said towers, poles, wires, cables, or equipment, shall be promptly paid for by the grantees. The grantees may cut or trim trees, bushes and saplings growing upon



or extending over said land so far as may be reasonably necessary in the construction, operation and maintenance of said line or lines.

The undersigned hereby covenant, that they are the owners in fee simple of said real estate, lawfully seized thereof, and have good right to grant and convey said easement herein, and guarantee the quiet possession thereof, and that the grantors will warrant and defend the title to the said easement against all lawful claims.

These presents to be binding upon the heirs, legal representatives, grantees and assigns of the grantors, and upon the grantees, their successors and assigns.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 1960.

\_\_\_\_\_  
(Richard H. Koop)

\_\_\_\_\_  
(Lavonne T. Koop)

\_\_\_\_\_  
(Robert G. Benedict)

\_\_\_\_\_  
(Mildred Benedict)

\_\_\_\_\_  
(Joe Brita)

\_\_\_\_\_  
(Mary L. Brita)

\_\_\_\_\_  
(John R. Willig)

\_\_\_\_\_  
(Virginia D. Willig)

\_\_\_\_\_  
(Howard H. Krieg)

\_\_\_\_\_  
(Ethel L. Krieg)

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, John R. Willig and Virginia D. Willig, husband and wife, who acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and notarial seal this \_\_\_\_\_ day  
of \_\_\_\_\_, 1960.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

Joe Brita  
Mary L. Brita



## GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That the grantors, Richard H. Koop and Laverne T. Koop, husband and wife, Robert G. Benedict and Mildred Benedict, husband and wife, Joe Brita and Mary L. Brita, husband and wife, John R. Willig and Virginia D. Willig, husband and wife, and Howard H. Krieg and Ethel L. Krieg, husband and wife, of Allen County, Indiana, in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, in hand paid to the grantors, hereby grant to the City of Fort Wayne, City Utilities of Fort Wayne, Northern Indiana Public Service Company, Indiana and Michigan Electric Company, General Telephone Company of Indiana, Inc., their successors and assigns, a general utility easement with the right and authority to construct, erect, maintain, operate, repair, replace and renew poles, conduits and mains, and the right and authority to string, install, construct, erect, maintain, operate, repair, replace, and renew wires, cables, and other necessary equipment upon and between such poles, conduits and mains and to operate by means thereof a line or lines for the transmission, distribution, and delivery of electrical energy, sewage, water and gas to the public in general to be used for light, heat, power, telephone, sewage, water and gas, and/or other purposes in, upon, along, under and over the real estate of the grantors, located in Allen County, Indiana, described as follows:

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or extending over said land so far as may be reasonably necessary in the construction, operation and maintenance of said line or lines.

The undersigned hereby covenant, that they are the owners in fee simple of said real estate, lawfully seized thereof, and have good right to grant and convey said easement herein, and guarantee the quiet possession thereof, and that the grantors will warrant and defend the title to the said easement against all lawful claims.

These presents to be binding upon the heirs, legal representatives, grantees and assigns of the grantors, and upon the grantees, their successors and assigns.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 1960.

\_\_\_\_\_  
(Richard H. Koop)

\_\_\_\_\_  
(Lavonne T. Koop)

\_\_\_\_\_  
(Robert G. Benedict)

\_\_\_\_\_  
(Mildred Benedict)

\_\_\_\_\_  
(Joe Brita)

\_\_\_\_\_  
(Mary L. Brita)

\_\_\_\_\_  
(John R. Willig)

\_\_\_\_\_  
(Virginia D. Willig)

\_\_\_\_\_  
(Howard H. Krieg)

\_\_\_\_\_  
(Ethel L. Krieg)

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, Joe Brita and Mary L. Brita, husband and wife, who acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and notarial seal this \_\_\_\_\_ day  
of \_\_\_\_\_, 1960.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

Robert G. Benedict  
Mildred Benedict



## GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That the grantors, Richard H. Koop and Lavonne T. Koop, husband and wife, Robert G. Benedict and Mildred Benedict, husband and wife, Joe Brita and Mary L. Brita, husband and wife, John R. Willig and Virginia D. Willig, husband and wife, and Howard H. Krieg and Ethel L. Krieg, husband and wife, of Allen County, Indiana, in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, in hand paid to the grantors, hereby grant to the City of Fort Wayne, City Utilities of Fort Wayne, Northern Indiana Public Service Company, Indiana and Michigan Electric Company, General Telephone Company of Indiana, Inc., their successors and assigns, a general utility easement with the right and authority to construct, erect, maintain, operate, repair, replace and renew poles, conduits and mains, and the right and authority to string, install, construct, erect, maintain, operate, repair, replace, and renew wires, cables, and other necessary equipment upon and between such poles, conduits and mains and to operate by means thereof a line or lines for the transmission, distribution, and delivery of electrical energy, sewage, water and gas to the public in general to be used for light, heat, power, telephone, sewage, water and gas, and/or other purposes in, upon, along, under and over the real estate of the grantors, located in Allen County, Indiana, described as follows:

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These presents to be binding upon the heirs, legal representatives, grantees and assigns of the grantors, and upon the grantees, their successors and assigns.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 1960.

\_\_\_\_\_  
(Richard H. Koop)

\_\_\_\_\_  
(Lavonne T. Koop)

\_\_\_\_\_  
(Robert G. Benedict)

\_\_\_\_\_  
(Mildred Benedict)

\_\_\_\_\_  
(Joe Brita)

\_\_\_\_\_  
(Mary L. Brita)

\_\_\_\_\_  
(John R. Willig)

\_\_\_\_\_  
(Virginia D. Willig)

\_\_\_\_\_  
(Howard H. Krieg)

\_\_\_\_\_  
(Ethel L. Krieg)

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, Robert G. Benedict and Mildred Benedict, husband and wife, who acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, 1960.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

Richard H. Koop  
Lavonne T. Koop



## GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That the grantors, Richard H. Koop and Lavonne T. Koop, husband and wife, Robert G. Benedict and Mildred Benedict, husband and wife, Joe Brita and Mary L. Brita, husband and wife, John R. Willig and Virginia D. Willig, husband and wife, and Howard H. Krieg and Ethel L. Krieg, husband and wife, of Allen County, Indiana, in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, in hand paid to the grantors, hereby grant to the City of Fort Wayne, City Utilities of Fort Wayne, Northern Indiana Public Service Company, Indiana and Michigan Electric Company, General Telephone Company of Indiana, Inc., their successors and assigns, a general utility easement with the right and authority to construct, erect, maintain, operate, repair, replace and renew poles, conduits and mains, and the right and authority to string, install, construct, erect, maintain, operate, repair, replace, and renew wires, cables, and other necessary equipment upon and between such poles, conduits and mains and to operate by means thereof a line or lines for the transmission, distribution, and delivery of electrical energy, sewage, water and gas to the public in general to be used for light, heat, power, telephone, sewage, water and gas, and/or other purposes in, upon, along, under and over the real estate of the grantors, located in Allen County, Indiana, described as follows:

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IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 1960.

\_\_\_\_\_  
(Richard H. Koop)

\_\_\_\_\_  
(Lavonne T. Koop)

\_\_\_\_\_  
(Robert G. Benedict)

\_\_\_\_\_  
(Mildred Benedict)

\_\_\_\_\_  
(Joe Brita)

\_\_\_\_\_  
(Mary L. Brita)

\_\_\_\_\_  
(John R. Willig)

\_\_\_\_\_  
(Virginia D. Willig)

\_\_\_\_\_  
(Howard H. Krieg)

\_\_\_\_\_  
(Ethel L. Krieg)

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, Richard H. Koop and Lavonne T. Koop, husband and wife, who acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and notarial seal this \_\_\_\_\_ day  
of \_\_\_\_\_, 1960.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_



Howard H. Krieg  
Ethel L. Krieg

## GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That the grantors, Richard H. Koop and Lavonne T. Koop, husband and wife, Robert G. Benedict and Mildred Benedict, husband and wife, Joe Brita and Mary L. Brita, husband and wife, John R. Willig and Virginia D. Willig, husband and wife, and Howard H. Krieg and Ethel L. Krieg, husband and wife, of Allen County, Indiana, in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, in hand paid to the grantors, hereby grant to the City of Fort Wayne, City Utilities of Fort Wayne, Northern Indiana Public Service Company, Indiana and Michigan Electric Company, General Telephone Company of Indiana, Inc., their successors and assigns, a general utility easement with the right and authority to construct, erect, maintain, operate, repair, replace and renew poles, conduits and mains, and the right and authority to string, install, construct, erect, maintain, operate, repair, replace, and renew wires, cables, and other necessary equipment upon and between such poles, conduits and mains and to operate by means thereof a line or lines for the transmission, distribution, and delivery of electrical energy, sewage, water and gas to the public in general to be used for light, heat, power, telephone, sewage, water and gas, and/or other purposes in, upon, along, under and over the real estate of the grantors, located in Allen County, Indiana, described as follows:

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IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 1960.

\_\_\_\_\_  
(Richard H. Koop)

\_\_\_\_\_  
(Lavonne T. Koop)

\_\_\_\_\_  
(Robert G. Benedict)

\_\_\_\_\_  
(Mildred Benedict)

\_\_\_\_\_  
(Joe Brita)

\_\_\_\_\_  
(Mary L. Brita)

\_\_\_\_\_  
(John R. Willig)

\_\_\_\_\_  
(Virginia D. Willig)

\_\_\_\_\_  
(Howard H. Krieg)

\_\_\_\_\_  
(Ethel L. Krieg)



STATE OF INDIANA )  
                              ) SS:  
COUNTY OF ALLEN )

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, Richard H. Koop and Lavonne T. Koop, husband and wife, who acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and notarial seal this \_\_\_\_\_ day  
of \_\_\_\_\_, 1960.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, Robert G. Benedict and Mildred Benedict, husband and wife, who acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and notarial seal this \_\_\_\_\_ day  
of \_\_\_\_\_, 1960.

Notary Public

My Commission Expires:

---

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, Joe Brita and Mary L. Brita, husband and wife, who acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, 1960.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_



STATE OF INDIANA )  
                              ) SS:  
COUNTY OF ALLEN )

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, John R. Willig and Virginia D. Willig, husband and wife, who acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and notarial seal this \_\_\_\_\_ day  
of \_\_\_\_\_, 1960.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, Howard H. Krieg and Ethel L. Krieg, husband and wife, who acknowledged the execution of the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and notarial seal this \_\_\_\_\_ day  
of \_\_\_\_\_, 1960.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

DECLARATORY

Improvement Resolution No. <sup>1026</sup> - 1960 For VACATING THE ALLEY BETWEEN GLENWOOD AVENUE AND VANCE AVENUE

FROM THE EAST PROPERTY LINE OF BEACON STREET TO THE EAST PROPERTY LINE OF LOTS 12 AND 13, BEACON

HEIGHTS ADDITION

	OWNER'S NAME	ADDRESS	R. P. O.	NUMBER OF			DESCRIPTION
				LOT	BLOCK	O. L.	
1	KOOP, RICHARD H. & LAVONNE T.	2801 <i>den</i>		9			BEACON HEIGHTS ADD.
2	BENEDICT, ROBERT G. & MILDRED	2807 <i>den</i>		10			"
3	BEITA, JOE & MARY L.	2815 "		11			"
4	WILLIG, JOHN R. & VIRGINIA D.	2817 "		12			"
5	KRIEG, HOWARD H. & ETHEL L.	2219 <i>den</i>		13			"
6	" " "	" "		14			"
7	" " "	" "		15			"
8	HEINZE, JOHN L. & PHYLLIS A.	no add		60			ROSALIE PAEL ADD.
9	FEICHTER, C. C. & M. B.	2827 S <i>den</i>		61			"
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			TOTAL				

EXCISES PAID OR DEDUCTED

September 23, 1960

Caryl Pelling  
N. to P.O.



1026